

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

THE GLORIA LAW GROUP, P.C.  
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Attorneys for Defendant  
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In Re:

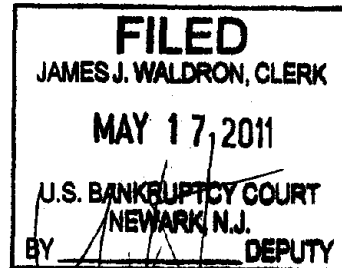
NICHOLAS JOHN ALTIERI,

Debtors.

MARK AND SHONA HOLDEN,  
Plaintiffs,

- against -

NICK ALTIERI,  
Defendant.



Case No.: 11-12819-DHS

Chapter 7

Adv. Pro. No. 11-1196

**ORDER GRANTING DEFENDANT'S MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT ~~WITH PREJUDICE, PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) FOR FAILURE TO  
STATE A CLAIM~~**

The relief specified in the paragraph numbered "1" on the page annexed as Page "2" be and  
is hereby granted.

5/17/11

**CASE:** NICHOLAS JOHN ALTIERI, Debtor  
**CASE NO.** 11-12819-DHS  
**ADVERSARY:** Holden, et al. v. Altieri, 11-1196 (DHS)  
**CAPTION:** **ORDER GRANTING DEFENDANT'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT WITH RPEJUDICE, PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) FOR FAILURE TO STATE A CLAIM**  
**PAGE:** 2

Application having been made pursuant to Federal Rulse of Civil Procedure 12(b)(6) and 9(b), made applicable to this proceeding by way of Federal Rules of Bankruptcy 7012 and 7009, for entry of an Order dismissing with prejudice the Complaint of the Plaintiffs Mark and Shona Holden, for entry an order dismissing the Plaintiffs' Complaint with Prejudice; and the Court having considered the matter; the arguments and submissions of counsel; and for good cause shown:

1. IT IS HEREBY ORDERED that the defendant's application is granted and the Plaintiffs' Complaint be and is hereby dismissed <sup>without</sup> ~~with~~ prejudice.

2. Further Ordered that plaintiff has leave to file an amended complaint within 20 days of this Order.